

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THE HIPSAVER COMPANY, INC.,)
Plaintiff,)
v.)
J.T. POSEY COMPANY,)
Defendant.)
AND RELATED COUNTERCLAIM.)

) Civil Action No. 05-10917 PBS

**FURTHER STIPULATION AND REQUEST FOR ORDER RE
DEFENDANT'S RESPONSE TO PLAINTIFF'S FURTHER MOTION TO
COMPEL IMMEDIATE PRODUCTION OF DOCUMENTS AND
INFORMATION IN RESPONE TO ITS SECOND REQUEST FOR
PRODUCTION OF DOCUMENTS**

Plaintiff The HipSaver Company, Inc. (“HipSaver”) and Defendant J.T. Posey Company, Inc. (“Posey”) through their respective attorneys, hereby stipulate as follows:

1. Plaintiff electronically filed and served its Further Motion to Compel Immediate Production of Documents and Information in Response to its Second Request for Production of Documents (the “Motion”) on April 3, 2006 (Docket No. 113);
2. Defendant’s deadline to file and serve its response to the Motion was originally April 17, 2006;
3. On April 13, 2006, counsel for Posey, Douglas H. Morseburg, was involved in an accident in which he suffered serious physical injuries;

4. As a consequence of the foregoing, the parties agreed that the time within which Posey would be required to file and serve its opposition to the Motion would be extended by one week, to and including, April 24, 2006, and a Stipulation reflecting said agreement was filed with Court on April 17, 2006.
5. On April 20, 2006, the Court issued an Electronic Order granting the extension to April 24, 2006.
6. Since the date of filing of the stipulation mentioned above, Mr. Morseburg has required additional physical treatment for the injuries he suffered on April 13, 2006.
7. As a consequence of the foregoing, the parties have agreed that the time within which Posey will be required to file and serve its opposition to the Motion will be extended by one additional day, to April 25, 2006, and they hereby request the Court to order that the deadline shall be extended accordingly.

Dated: April 24, 2006

J.T. POSEY COMPANY
By its attorneys,

/s/ Douglas H. Morseburg
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Dated: April 24, 2006

THE HIPSAVER COMPANY, INC.
By its attorneys,

/s/ Edward J. Dailey

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